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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/814,413

03/30/2004

Dana Blair

0179.0047

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10/05/2005

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EXAMINER

LAVILLA, MICHAEL E

ART UNIT

PAPER NUMBER

1775

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/814,413

Applicant(s)

BLAIR ET AL.

Examiner

Michael La Villa

Art Unit

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-18, 22, 24 and 32 is/are allowed.
- 6) ☒ Claim(s) 1-10, 19-21, 23, 27-31, and 33 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20040927.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in the United Kingdom on 2 April 2003. It is noted, however, that applicant has not filed a certified copy of the application, United Kingdom 0307697.3 04/02/2003, as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:
3. The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1-10, 19-21, 23, 27-31, and 33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - I. Regarding Claim 1, it is unclear what are the elements of the claimed structure. Does the claimed article require that the uncured pigmented layer be attached to uncured prepreg without adhesive, or is this an intended use of the claimed article?
 - II. Regarding Claims 19 and 21, it is unclear what is meant by reference to "claim 10" as claim 10 relates to an "uncured pigmented layer," not to an "uncured panel assembly."
 - III. Regarding Claims 23, 27, and 30, it is unclear what is meant by reference to "[a] method for making an uncured pigmented panel

assembly according to Claim 21" as Claim 21 relates to a "panel assembly," not to a "method."

- IV. Regarding Claims 21 and 33, it is unclear what is meant by the phrase "wherein said thermoplastic film substrate, if any, has been removed from said (cured) panel assembly." In the previous claim, there may be no requirement of a "thermoplastic film substrate" in the uncured panel assembly, but rather merely a substrate. Were the substrate present, but not a thermoplastic film, must it be removed to obtain the claimed article?

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
6. A person shall be entitled to a patent unless –
7. (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
8. Claims 1, 4, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Meyer et al. USP 4,599,212. Meyer teaches coating a mold with an uncured resin composition that comprises pigmenting agent. See Meyer (col. 4, line 35 through col. 5, line 11). Since the mold is subjected to the curing temperature, it would be expected that its melting point exceeds the curing temperature.

Allowable Subject Matter

9. The subject matter of Claims 11-18, 22, 24, and 32 is not taught or suggested by the reviewed prior art nor by the prior art of record. Particularly, with respect to

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claims 11-18, the assembly structures, including the materials of the claimed characteristics, is not taught or suggested. With respect to Claims 22, 24, and 32, the claimed methods that give rise to articles of the structures of Claims 11-18, are similarly not taught or suggested. As one example, Hirotsaki JP 05-254051 is related prior art, but is not applicable for failure to teach or suggest specifically claimed materials and material characteristics, such as relative curing temperatures and melting temperatures as well as thermosetting and thermoplastic qualities.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael La Villa whose telephone number is (571) 272-1539. The examiner can normally be reached on Monday through Friday.
11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (571) 272-1535. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael La Villa
3 October 2005



MICHAEL E. LAVILLA PH.D.
PRIMARY EXAMINER